

In the Application of: **Whitman, et al.**

Application No.: **09/887,789**

Attorney Docket No.: **3556-P03147US01**

Filed: **June 22, 2001**

For: **"ELECTRO-MECHANICAL SURGICAL DEVICE"**

Examiner: **Tran, Louis B.**

Group Art Unit: **3721**

RECEIVED
FEB 23 2004
TECHNOLOGY CENTER R3700

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this Response and accompanying papers are being deposited on **February 11, 2004** with the United States Postal Service as first-class mail in an envelope properly addressed to COMMISSIONER FOR PATENTS, Alexandria, VA 22313-1450.


February 11, 2004
Date of Certificate


Robin Dolan

Petition for Extension Under 37 CFR §1.136(a)

Applicant's undersigned Attorney hereby petitions for an extension of time of **THREE** months beyond the time period set in the last office communication. The proper fee is enclosed as identified in the enclosed Fee Transmittal form.

February 11, 2004
Date of Certificate


Donald R. Piper, Jr.
PTO Registration No. 29,337

Commissioner for Patents
Alexandria, VA 22313-1450

AMENDMENT

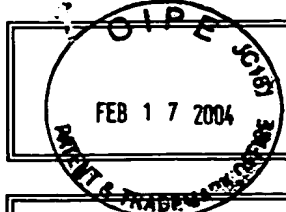
In connection with the Request for Continued Examination submitted herewith, Applicant submits the following in response to the Official Action dated August 12, 2003 (paper #14). Please amend the above-identified application as indicated on the following pages.

The amendments to the **claims** begin on **page 2**.

The **remarks** concerning the office action and Applicant's amendments begin on **page 10**.

BEST AVAILABLE COPY

RCE/3724 \$



REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to: COMMISSIONER FOR PATENTS Mail Stop RCE Alexandria, VA 22313-1450.	Application No. 09/887,789
	Filing Date: June 22, 2001
	First Named Inventor: Whitman et al, Michael , P.
	Group Art Unit: 3721
	Examiner Name: Tran, Louis B.
	Attorney Docket No. 3556-P03147US1

This is a request for a continued examination under 37 C.F.R. 1.114 of the above-identified application.

02/19/2004 SSANDARA 00000026 09887789
01 FC:2801 385.00 OP
02 FC:2202 54.00 OP

- 1. Submission required under 37 C.F.R. §1.114
 - a. ☐ Previously filed
 - i. ☐ Consider the unentered amendment/reply previously filed on _____
 - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. ☐ Other _____
 - b. ☒ Enclosed
 - i. ☒ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☒ Information Disclosure Statement
 - iv. ☐ Other _____
- 2. ☒ Fee Transmittal Sheet is enclosed in duplicate.
- 3. ☒ Request for extension: Pursuant to 37 C.F.R. §1.136, Applicant(s) request a three-month extension for filing a response to the outstanding Official Action.

RECEIVED
FEB 23 2004
TECHNOLOGY CENTER R3700

SIGNATURE OF APPLICANT, ATTORNEY or AGENT	
Donald R. Piper, Jr. P.T.O. Regis. No.29,337	Phone (215) 563-4100 Fax (215) 563-4044

CERTIFICATE OR MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Mail-Stop RCE, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:	
Date 2/11/04	 Robin Cifelli-Dolan

FEE TRANSMITTAL

FEB 17 2004

Complete if known

Application Number: 09/887,789

Filing Date: June 22, 2001

First Named Inventor: Whitman et al, Michael

Group Art Unit: 3721

Examiner Name: Tran, Louis B.

Total Amt. of Payment: (1)+(2)+(3)= \$914

Attorney Docket Number: 3556-P03147US1

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to:

☐ Charge indicated fees

☒ Charge additional fees

☒ Credit overpayments

to the account of DANN, DORFMAN, HERRELL & SKILLMAN

Deposit Account Number 04-1406

2. Payment enclosed:

Check in the amount of \$914

FEE CALCULATION

1. FILING FEE

Fee Description

Utility filing fee

Design filing fee

Plant filing fee

Reissue filing fee

Fee

SUBTOTAL (1) \$0

FEE CALCULATION (continued)

ADDITIONAL FEES

Fee Description

Fee Paid

Surcharge-late filing fee or oath

Surcharge - late provisional filing fee or cover sheet

Extension for response within third month

475

Notice of Appeal

Filing a brief in support of an appeal

Request for oral hearing

Petition to revive unavoidably abandoned application

Petition to revive unintentionally abandoned application

Issue fee

Petitions to the Commissioner

Petitions related to provisional applications

Submission of Information Disclosure Stmt.

Recording each patent assignment per property

Other fee (specify) RCE

385

SUBTOTAL (3) \$860

2.

Paid

Extr

Fee

Total Claims 37 -31 = 6 x 9 = 54

Independent Claims 3 -3 = 0 x 43 = 0

Multiple Dependent

(First presentation)

SUBTOTAL (2) \$54

Submitted By:

Typed or

Printed Name Donald R. Piper, Jr.

Reg. Number 29,337

Signature

Date February 11, 2004

Deposit Account User ID

04-1406

BEST AVAILABLE COPY